

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JOEL MURRAY,

Plaintiff,

vs

9:08-CV-809

*DR. RAMINENI, Medical Director; *A.
FERGUSON, N.P.; *DR. MANNAVA, M.D.;
*PICENTE, Correction Counselor; STATE
OF NEW YORK DEPARTMENT OF
CORRECTIONAL SERVICES; *NURSE
HOWARD; *WILLIAMS, Nurse; A. PAOLANO,
Dr., Great Meadow Correctional Facility; and
*J. HARRIS, Nurse Administrator, *All of
Mid-State Correctional Facility,

Defendants.

APPEARANCES:

JOEL MURRAY
Plaintiff, Pro Se
00-A-1884
Elmira Correctional Facility
PO Box 500
Elmira, New York 14902

HON. ERIC T. SCHNEIDERMAN
Attorney General of the
State of New York
Attorney for Defendants
Department of Law
The Capitol
Albany, New York 12224

DEAN J. HIGGINS, ESQ.
Asst. Attorney General

DAVID N. HURD
United States District Judge

DECISION and ORDER

Plaintiff, Joel Murray, commenced this civil rights action in July 2008, pursuant to 42 U.S.C. § 1983. By Report-Recommendation dated March 3, 2011, the Honorable David R.

Homer, United States Magistrate Judge, recommended that defendants' motion for summary judgment (Dkt. 57) be granted as to all federal claims and all defendants; that Murray's state law claims be dismissed without prejudice; and that this action be terminated. (Docket No. 71). The plaintiff has filed objections to the Report-Recommendation. (Docket No. 72).

Based upon a de novo review of the entire file, including the portions of the Report-Recommendation to which plaintiff has objected, and the recommendations of Magistrate Judge Homer, the Report-Recommendation is accepted and adopted in all respects. See 28 U.S.C. 636(b)(1).

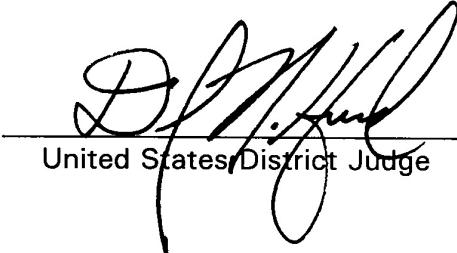
Accordingly, it is

ORDERED that

1. Defendants' motion for summary judgment (Dkt. 57) is GRANTED;
2. The plaintiff's federal law claims are DISMISSED with prejudice;
3. The plaintiff's state law claims are DISMISSED without prejudice; and
4. The Clerk is directed to file judgment accordingly and close the file.

IT IS SO ORDERED.

Dated: April 1, 2011
Utica, New York.


United States District Judge